

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

WENDY DINEEN,

Plaintiff,

-against-

ROBWAT MANAGEMENT, INC. d/b/a or a/k/a
KFC ONEONTA,

Defendant.

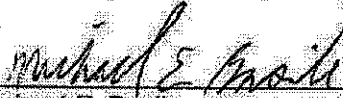
ORDER ON STIPULATION

CASE NO. 3:07-CV-1309
TJM/DEP

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued with prejudice, without costs to either party as against the other. Additionally, Plaintiff waives any rights to make post-verdict motions or to appeal from the jury verdict or judgment of dismissal in this action, and defendant waives any rights to make application for or seek court costs, counsel fees, sanctions or any monetary relief in this action.

Dated: 12/8/09

HIGGINS, ROBERTS, BEYERL & COAN, P.C.



Michael E. Basile
Attorneys for Plaintiff
1430 Balltown Road
Schenectady, New York 12309
(518) 374-3399

Dated: 12/7/09


Wendy Dineen

Dated: 12/9/09

LEVENE GOULDIN & THOMPSON, LLP


Patricia M. Curtin
Attorney(s) for Defendant
71 State Street PO BOX 1706-C
Binghamton, NY 13901
(607) 763-9200

Dated: 12/9/09


Robwat Management, Inc.
By: _____

IT IS SO ORDERED:

Dated:



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David E. Peebles

U.S. Magistrate Judge

Dated: December 9, 2009

Syracuse, NY